

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

William E. Lorenz, Director of Public Works
Village of Evergreen Park

Petitioner,

vs.

Grand Trunk Western Railroad Incorporated

Respondent.

Complaint as to 95th Street (12-20) and Troy
Avenue crossing is in critical disrepair, need new
Crossing, vehicular traffic unsafe, located in
Evergreen Park, Cook County, Illinois

Docket No. T05-0036

RECEIVED

JUN 21 2006

Illinois Commerce Commission
RAIL SAFETY SECTION

**RESPONSE TO PETITIONER'S REQUEST T WITHDRAW
ANY PETITION OR REQUEST FOR RELIEF**

Now comes Grand Trunk Western Railroad Incorporated (GTW), by and through its attorneys, Fletcher & Sippel, LLC, with its Response to Petitioner's Request to Withdraw any Petition or Request for Relief and states as follows:

1. GTW has resolved its detour issues with the Petitioner and will be moving forward with the crossing renewal.
2. GTW has received a copy of Petitioner's request to withdraw any petition or request for relief, attached herein as Exhibit A.
3. GTW supports the Petitioner's request.
4. GTW seeks leave to withdraw its pleading dated May 2, 2006 in this docket.
5. GTW requests that the hearing set for June 27 in this docket be cancelled as the parties have reached agreement on all outstanding issues.

WHEREFORE, GTW requests that the Illinois Commerce Commission:

1. Grant Petitioner's request as set forth in Exhibit A herein;
2. Cancel the hearing scheduled for June 27, 2006 in this docket; and

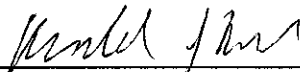
DOCKETED

JUN 21 2006

3. Provide further relief if deemed just and equitable.

Respectfully submitted,

GRAND TRUNK WESTERN RAILROAD
INCORPORATED

By: _____

Dated: June 20, 2006

Michael J. Barron, Jr.
One of its attorneys
Fletcher & Sippel LLC
29 N. Wacker Drive
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ARDC #6228809

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LOUIS F. CAINKAR
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GARY S. PERLMAN
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June 16, 2006

Ms. Bernadette Cole
Administrative Law Judge
Review & Examination Program
Illinois Commerce Commission
527 East Capitol Avenue, 6th Floor
Springfield, IL 62701

Re: ICC Docket T05-0036

Dear Ms. Cole:

The Village of Evergreen Park and the Grand Trunk Western Railroad Incorporated have reached an agreement with respect to the repair of the railroad crossing at 95th Street and Troy Avenue, Evergreen Park, Illinois. Therefore as far as the Village is concerned, and as far as William E. Lorenz, Director of Public Works of the Village of Evergreen Park, is concerned, there is no reason to move forward in the above matter. Therefore please accept this letter as a request to withdraw any petition or request for relief in the above matter.

Yours truly,



Vincent Cainkar

VC:les

cc: Michael J. Barron, Jr., Attorney for
Grand Trunk Western Railroad Incorporated

**STATE OF ILLINOIS
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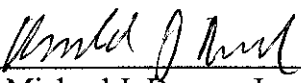
Docket No. T05-0036

NOTICE OF FILING

To: Service List

PLEASE TAKE NOTICE that on June 20, 2006, I have sent for filing with the Illinois Commerce Commission Grand Trunk Western Railroad Incorporated's Response to the Petitioner's Request to Withdraw Any Petition or Request for Relief, a copy of which is hereby served upon you.

GRAND TRUNK WESTERN RAILROAD
INCORPORATED

By: 
Michael J. Barron, Jr.
One of its attorneys
Fletcher & Sippel, LLC
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Suite 920
Chicago, IL 60606-2832
ARDC #6228809

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that copies of the foregoing pleading were served upon the addresses listed below by mailing true and correct copies via First Class U.S. mail, postage thereon fully prepaid and depositing the same in the United States Mail, Chicago, Illinois, this 20th day of June, 2006.

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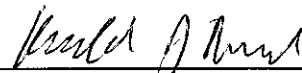
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